

“AGREEMENT TO STOP ORDER OF ASSIGNMENT”

For Petitioner and Respondent

1

**To Stop an Existing Court
Order
When Parties Agree**



**SELF SERVICE CENTER
STOP “ORDER OF ASSIGNMENT” By AGREEMENT
FOR PETITIONER AND RESPONDENT**

This packet contains court forms and instructions to Stop a Court Order for Assignment when parties AGREE.

Be sure the documents are in the following order:

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2	DRSWA7k	Checklist to file these papers	1
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5	DRSWA82f	<i>“Order Stopping Order of Assignment”</i>	1
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The documents you have received are copyrighted by the Superior Court of Arizona in Maricopa County. You have permission to use them for any lawful purpose. These forms shall not be used to engage in the unauthorized practice of law. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. The documents are under continual revision and are current only for the day they were received. It is strongly recommended that you verify on a regular basis that you have the most current documents.

**SELF-SERVICE CENTER
CHECKLIST
TO
STOP “ORDER OF ASSIGNMENT” BY AGREEMENT**

USE THE FORMS and instructions in this packet ONLY if the following factors apply to you:

- ✓ An “**Order of Assignment**” has **ever** been entered in this case in Maricopa County, **and**
- ✓ You wish to stop the order, **and**
- ✓ Both parties **agree to stop** the “**Order of Assignment**”, **and**
- ✓ **BOTH** parties **will sign** the Agreement in front of a Notary or Court Clerk, **AND**
- ✓ Any one of the following conditions applies:

Both parties Agree To “Stop the Order of Assignment” because:

- ✓ Current Payments Should Stop. The person making payments does not owe any money for past-due support (arrears), and all children named in this Order are 18 and not attending high school, and all spousal maintenance /support is paid or other named condition for stopping support and / or maintenance has occurred, such as:
- ✓ Parties have reconciled and/or remarried and/or the case has otherwise been dismissed (copy of “**Marriage Certificate**” or “**Order of Dismissal**” is attached);
- ✓ Child custody has been changed by order of this court, (copy of “**Custody Order**” attached);
- ✓ Child adopted by someone else, and all past-due amounts have been satisfied, (copy of “**Adoption Order**” attached);
- ✓ Child deceased, (copy of “**Death Certificate**” attached);
- ✓ There are two active orders of assignment for same child(ren)
- ✓ When the other party filed a “**Request for Order of Assignment**” the person making payments did not owe a past-due amount equal to at least one month’s payment of child support or spousal support.

DO NOT USE FORMS and instructions in this packet if the following factors apply to you:

- X** The parties **do not agree** to stop the “**Order of Assignment.**”
- X** The other party will not sign the “**Agreement to Stop Order of Assignment.**”
- X** Monies are still owed for current or past due child support or spousal maintenance(alimony) according to the underlying Order for support or maintenance.
- X** Your “**Order of Assignment**” was **not** entered in Maricopa County.
- X** There has never been an “**Order of Assignment**” in this case.

READ ME: It is very important for you to know that when you sign a court document, you may be helping or hurting your court case. Before you sign any court document, or get involved with a court case, it is important that you see a lawyer to make sure you are doing the right thing. The Self- Service Center has a list of lawyers who can give you legal advice and can help you on a task-by task basis for a fee. If you want to know more about our list of lawyers and our list of mediators, ask the Self-Service Center staff or view the list on our web site at:
www.superiorcourt.maricopa.gov/ssc/provider/lawyers.asp

SELF-SERVICE CENTER

INSTRUCTIONS: HOW TO FILL OUT FORMS TO STOP AN ORDER OF ASSIGNMENT BY AGREEMENT

This request can be completed by the person paying support OR the person receiving support, but must be signed by BOTH, as well as by a representative of the IV-D Agency if either party is using the child support services of the state.

COMPLETE THESE FORMS IF:

An “*Order of Assignment*” is in effect against one of the parties, **AND**

- ✓ You wish **stop** the order of assignment completely, **AND**
- ✓ **Both parties agree** that the Order of Assignment should be stopped, **AND**
- ✓ The underlying Court Order for Child Support or Spousal Maintenance (alimony) states certain conditions for stopping the support or maintenance and one or more of those conditions (as listed in Item 7 on the “*Agreement to Stop Order of Assignment*”) applies to you.

TO COMPLETE THESE FORMS YOU WILL NEED:

- ✓ The date the current “*Order of Assignment*” was signed. If you do not know this date, you can find it on the original “*Order of Assignment*” in the court file.

DEFINITIONS:

“**Obligee**” is the person or agency entitled to receive support payments.

“**Obligor**” is the person ordered to make support payments.

HOW TO FILL OUT THE FORMS: TYPE OR PRINT CLEARLY, USING BLACK INK ONLY.

AGREEMENT TO STOP ORDER OF ASSIGNMENT

If both parties are not signing this Agreement at the same time, the person filing the Agreement should mail a copy of the Agreement to the other party. If the person receiving the papers agrees with the proposed change, he or she should sign the Agreement in the presence of a notary public, make a copy for his/her own records and return the notarized original to the person who is filing the papers.

If either party is using the child support collection services of the State (if there is an ATLAS number, this is probably true), the Agreement must also be signed by a representative of the IV-D Agency. If you don't know which of the four IV-D offices in Maricopa County is handling your case, call 602-252-4045 and ask which regional office is handling your case and how to contact that office. Next, contact that office to find out how to get an Agency representative's signature. You may take the Agreement in to the IV-D office or mail it. If mailing, keep your signed original(s) and mail a copy to: Attorney General, Child Support Enforcement, P. O. Box 6123, Site Code 775 C, Phoenix, AZ 85005. Enclosing a self-addressed, stamped envelope for the Agency to mail the signed form back to you may speed the response time, or you may arrange to pick up the form from the Agency office.

Match each numbered item in the instructions with the same numbered item on the form.

Enter the following information:

- (1) (At top left) Print the name and other information requested for the person submitting this form. If you are representing yourself in this matter, check the box before “Self”.
- (2) The names of the persons shown as the petitioner/plaintiff and respondent/defendant *on the original Order of Assignment*.
- (3) The case number that appears on the Order of Assignment.
- (4) The ATLAS number (if one has been assigned to your case).

- (5) The name of the person ordered to make the payments (the Obligor) on the first line. Type or print the name of the person receiving the payments (the Obligee) on the second line.
- (6) The date the current Order of Assignment, the one you want to stop, was signed. This will be near the Judicial Officer's signature on the Order.
- (7) Check the appropriate box(es) to explain why the Order of Assignment should be stopped.
- (a) Check this box if ALL back child support has been paid AND current child support is not to be paid any more. Then write the name of each child listed in the Child Support Order on the line to the left, and the number of the reason (1-5) support is no longer owing for that child on the line next to his or her name.

Check all other boxes that apply. If there are multiple Orders of Assignment for support or maintenance of the same children or the same spouse under different case numbers, check the box for the last or next to the last (or both, if appropriate) selections and write in the other case numbers.

Signatures/Notary Information: Do not sign until directed to do so by a Notary Public or A Clerk of Court. Sign only your own name. Do not fill out the rest of this page. Signing your name is a statement to the Court that you believe the information submitted is true and correct. The IV-D representative's signature does not need to be notarized.

ORDER STOPPING ORDER OF ASSIGNMENT

Match the numbered instructions below with the matching numbers on the form.

- (1) Fill in the name of the person shown as the petitioner on the original "Order of Assignment."
- (2) Fill in the name of the person shown as the respondent on the original "Order of Assignment."
- (3) Fill in the case number ATLAS Number (if any) that appears on the original "Order of Assignment."
- (4) Fill in the name of the person who is ordered to make payments (the Obligor).

STOP! Do NOT fill out the rest of *this* form. It will be completed by a judicial officer or court staff. Go to the next form.

CURRENT EMPLOYER INFORMATION SHEET

Fill in the information requested on this short form, which asks only for:

- Case Number,
- ATLAS Number (if one has been assigned to this case),
- Name of the payor, the person who has been making payments,
- Name and payroll address, fax and phone numbers for the payor's current employer (the one(s) named in the Order of Assignment),
- Name and payroll address, fax and phone numbers for the payor's previous employer.

**WHEN YOU HAVE COMPLETED THESE FORMS, GO TO THE "PROCESS CHECKLIST"
AND FOLLOW THE STEPS LISTED THERE.**

(1) Person Filing: _____
 Mailing Address: _____
 City, State, Zip Code: _____
 Daytime / Evening Phone: _____ / _____
 Person Filing Document is: Self or Attorney for Plaintiff Respondent
 (If Attorney) State Bar No.: _____ Attorney Phone: _____

SUPERIOR COURT of ARIZONA in MARICOPA COUNTY

(2) _____
 Petitioner/Plaintiff (in original case)

(3) Case No. _____

(2) _____
 Respondent/Defendant (in original case)

(4) ATLAS No. _____

AGREEMENT TO STOP ORDER OF ASSIGNMENT A.R.S. § 25-504

The parties **agree** that the "**Order of Assignment**" should be stopped. The parties are signing this Agreement of their own free will and not under any fear or threat of force. This Agreement applies only to the "**Order of Assignment**" and has no effect on the existing child support or spousal maintenance order.

I, (5) _____, the person ordered to make payments (the Obligor), and
 I, (5) _____, the person receiving payments (the Obligee), ask the
 Court to terminate the "**Order of Assignment**" issued: (6) _____ (Month/Day/Year)
 The Order was issued by: _____ (Name of Court)
 Located in this County: _____ (Name of County)
 Located in this State: _____ (Name of State)

because: (7) Check the appropriate box(es) to explain why the "**Order of Assignment**" should be stopped.

- (a) All past due child support (back child support/arrearages/interest) has been paid and the person making payments (the Obligor) is no longer obligated to pay current child support because all children named in the Child Support Order:
1. are **18 and not attending high school** or a certified equivalency program, and / or
 2. are **19**, and / or
 3. have been **adopted**, and / or
 4. are **married**, and / or
 5. are **deceased**.
- All past due spousal maintenance (alimony arrearages/interest) has been paid/satisfied and the person making payments, is no longer required to pay spousal maintenance.
- All past due child support *and* spousal maintenance (back child support and back alimony [arrearages /interest]) have been paid/satisfied and the person making payments is no longer required to pay child support and spousal maintenance.
- Child custody has been changed by Order of this Court.
- Parties have remarried. Copy of marriage license is attached.
- Case has been dismissed. Order of Dismissal is attached if not from this Court.
- There are multiple active Orders of Assignment for the same children under different case numbers.

 Case Number

 Case Number

 Case Number

**SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY**

(1) _____
Petitioner in Original Case

(3) Case No. _____

(2) _____
Respondent in Original Case

ATLAS No. _____

**ORDER STOPPING
ORDER of ASSIGNMENT
A.R.S. § 25-504**

To the employer(s) or other payor(s) of:

(4) Name: _____ SSN : _____

DO NOT WRITE BELOW THIS LINE. COURT PERSONNEL WILL COMPLETE THE FORM.

This Order stops the Order of Assignment dated _____, with the same case number as in (3) above. The employer(s) or other payor(s) is/are ordered to stop withholding monies pursuant to the Order of Assignment:

- Immediately or
 Effective (date) _____ or
 After you withhold and send \$_____ to the Support Payment Clearinghouse.

The Support Payment Clearinghouse is ordered to release any monies currently in its possession and future monies received: (Check *one* box only)

- To the **obligee** in total
 To the **obligee** in the amount of \$_____ and the remainder and any future payments to the obligor .
 To the **obligor** in total
 Other:

Dated: _____

Judicial Officer or Clerk of the Superior Court

CURRENT EMPLOYER INFORMATION

You may also fill out this form online at the Family Support Center Website at:
<http://www.familysupportcenter.maricopa.gov>

THIS FORM MUST BE COMPLETED FOR:

- AN ORDER OF ASSIGNMENT (STAPLE TO THE ORDER OF ASSIGNMENT)**
- ORDER TO STOP AN ORDER OF ASSIGNMENT (STAPLE TO THE STOP ORDER)**
- NOTIFICATION OF A CHANGE OF EMPLOYER**

CASE NUMBER: _____

ATLAS NUMBER: _____

PAYOR NAME: _____
(PERSON TO MAKE PAYMENTS)

LIST ONLY THE EMPLOYER'S NAME AND PAYROLL ADDRESS WHERE THE ORDER OF ASSIGNMENT OR STOP ORDER SHOULD BE MAILED.

CURRENT EMPLOYER NAME: _____

PAYROLL ADDRESS: _____

CITY: _____ **STATE:** _____ **ZIP:** _____

EMPLOYER TELEPHONE: _____

EMPLOYER FAX: _____

FOR COURT USE ONLY. DO NOT WRITE BELOW THIS LINE.

WA/FSC

WA/LOG ID: _____

TYPE OF W/A _____

DATE _____

AMOUNT OF ORDER _____

EMPLOYER STATUS _____

ENTERED BY _____

NEW W/A _____ SUB _____

AG _____ DCSE _____

**SELF SERVICE CENTER
PROCESS CHECKLIST
STOP ORDER OF ASSIGNMENT BY AGREEMENT**

- STEP 1:** Complete the following forms:
- ***“Agreement to Stop Order of Assignment”***
 - ***“Order Stopping Order of Assignment”***
 - ***“Current Employer Information Sheet”***
- STEP 2:** Make two copies* of the ***“Order Stopping Order of Assignment.”***
* ***If*** either party is using the child support enforcement services of the IV-D agency, make a ***third copy*** for that agency.
- STEP 3:** Get the notarized signatures of all parties on the original Agreement or on a copy of the Agreement. Each party should keep a copy of the Agreement for their own records.

Separate your documents into three sets (four, if the IV-D Agency is involved). Put your documents in this order:

Set 1 - ORIGINALS to be filed with the Clerk of Court:

1. ***“Agreement to Stop Order of Assignment”***
2. ***“Order Stopping Order of Assignment”***
3. ***“Current Employer Information Sheet”***

Set 2 - Copy for You:

- (1) ***“Agreement to Stop Order of Assignment”***
- (1) ***“Order Stopping Order of Assignment”***
- (1) **Stamped Envelope**, addressed to you.

Set 3 – Copy for Other Party:

- (1) ***“Order Stopping Order of Assignment”***
- (1) **Stamped Envelope**, addressed to that party.

Set 4* – Copy for IV-D Agency: (1) ***“Order Stopping Order of Assignment”***
*only if there is an ATLAS number – if Child Support Services is a party to the case.
(No envelope required for the Agency; the Court will send to them.)

IF THE PARTIES' ORIGINAL NOTARIZED SIGNATURES ARE ON SEPARATE COPIES OF THE AGREEMENT, FILE EACH OF THOSE SEPARATE AGREEMENTS BEARING ORIGINAL SIGNATURES.

- STEP 4:** GO TO THE COURT TO FILE. Take all originals and copies.

The Court is open from 8am-5pm, Monday-Friday. **You should go to the Court at least two hours before it closes.** You may file your court papers at the Clerk of Court's offices at the following locations:

Central Court Building

201 West Jefferson, 1st floor
Phoenix, Arizona 85003

Southeast Court Complex

222 East Javelina Drive, 1st floor
Mesa, Arizona 85210

Northwest Court Complex

14264 West Tierra Buena Lane
Surprise, Arizona 85374

Northeast Court Complex

18380 North 40th Street
Phoenix, Arizona 85032

FILE: Go to the Clerk of the Court filing counter to file your documents.

FEES: There is **no filing fee** for this request **when it is *by agreement*** (A.R.S. §25-504). There *may be an appearance fee* if the person filing this request has never “appeared” in the case, that is, has never filed any papers previously. The Self-Service Center and the Filing Counter have forms to request a deferral of any fees that apply.

PAPERS: Hand all your court papers to the court clerk along with cash, check, money order, or credit card for any fees that apply.

MAKE SURE YOU GET BACK THE FOLLOWING FROM THE CLERK:

- Your Set of Copies with the Clerk’s stamp on them. These are called “conformed” copies.

WHAT THE COURT WILL DO: The Court will do one of the following, based on the paperwork you submitted:

- Grant the relief you requested.
- Schedule a hearing for you and the other party to come talk to the judge about the case (if the judge has questions).
- Return your paperwork because you did not show good reason for the change requested.
- Other orders the judge thinks proper.

STEP 5: **WAIT** for the Court to let you know if the judicial officer or Clerk’s Office signed the Order or if it was set for a hearing. ***Read the Order Carefully!*** If it goes to a hearing, a conference may be scheduled and a Report, Recommendation and Order sent to the Court.

REMINDER:

- DID YOU** provide **two** self-addressed, stamped envelopes so the staff can mail the decision to both parties (as listed in STEP 3, above)?
- one addressed to you;
 - one addressed to the other party